

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7220

BILL NUMBER: HB 1421

NOTE PREPARED: Jan 10, 2004

BILL AMENDED:

SUBJECT: Worker's Compensation Statute of Limitations.

FIRST AUTHOR: Rep. Kruse

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
X FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that the statute of limitations for the filing of a worker's compensation claim for an injury or occupational disease, or for modification of an award, is tolled upon certain occurrences.

Effective Date: July 1, 2004.

Explanation of State Expenditures: The bill would extend the statute of limitations for the filing of a worker's compensation claim for an injury or occupational disease if:

1. Fraud was committed against the employee by the employer regarding filing a claim;
2. A mutual mistake was made between the employee and the employer regarding the filing of a claim;
3. Detrimental reliance by the employee upon the employer regarding the filing of a claim; or
4. Discovery of the discernability of injury by the employee.

The current two-year limit on the filing of a claim is extended to two years from the date the employee had knowledge of the injury or should have known of the injury.

The primary impact would be as an employer and would probably be minor.

Explanation of State Revenues:

Explanation of Local Expenditures: The local impact would be on local units and school corporations as an employer.

Explanation of Local Revenues:

State Agencies Affected: All.

Local Agencies Affected: Local units and school corporations.

Information Sources:

Fiscal Analyst: Chuck Mayfield, 317-232-4825.